thereafter during the minority of the child, the court may, upon the request of the noncustodial parent, grant such rights of visitation as will enable the child and the noncustodial parent to maintain such child to parent relationship as will be beneficial to the child. The court shall consider the age of the child and the child's relationship with the noncustodial parent prior to the commencement of the action. The court may deny visitation rights to the noncustodial parent if such visitation is not in the best interest of the child. A parent's failure to pay support because of the parent's inability to do so shall not be sufficient cause for denial of visitation, unless such inability is willful.

Subd. 2. Upon the request of either parent, the court may inform any child of the parties, if eight years of age or older, or otherwise of an age of suitable comprehension, of the rights of the child and the noncustodial parent under the order or decree or any substantial amendment thereof. The custodial parent shall present the child for visitation by the noncustodial parent, at such times as the court directs.

Subd. 3. The custodial parent shall not move the residence of the child to another state except upon order of the court or with the consent of the noncustodial parent, when the noncustodial parent has been given visitation rights by the decree.

Subd. 4. Proof of an unwarranted denial of or interference with duly established visitation may constitute contempt of court and may be sufficient cause for reversal of custody.

Approved April 29, 1971.

CHAPTER 173—S.F.No.400

An act relating to divorce; custody and support of children on judgment; amending Minnesota Statutes 1969, Section 518.17.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 518.17, is amended to read:

518.17 DIVORCE; CUSTODY AND SUPPORT OF CHILDREN ON JUDGMENT. Upon adjudging the nullity of a marriage, or a divorce or separation, the court may make such further order as it deems just and proper concerning the care, custody, and maintenance of the minor children of the parties and may determine with which of

Changes or additions indicated by underline, deletions by strikeout.

the parents they, or any of them, shall remain, having due regard to the age and sex of such children and the children's relationship with each parent prior to the commencement of the action. In determining the parent with whom a child shall remain, the court shall consider all facts in the best interest of the children and shall not prefer one parent over the other solely on the basis of the sex of the parent. In determining the <u>appropriate</u> amount of child support to be paid by each parent, the court shall consider the earning capacity <u>and financial circumstances</u> of each parent. <u>On petition for</u> any change in child support because of alleged change in circumstances <u>the court</u> shall take into consideration the earning capacity <u>and financial circumstances</u> of each parent and the <u>custodial</u> parent's spouse, if any.

Approved April 29, 1971.

CHAPTER 174—S.F.No.526

An act relating to regional development; providing for commission membership; amending Minnesota Statutes 1969, Section 462.-388, Subdivision 1.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 462.388, Subdivision 1, is amended to read:

462.388 **REGIONAL DEVELOPMENT COMMISSION; COMMISSION MEMBERSHIP.** Subdivision 1. A commission shall consist of the following members:

(1) one member from each county board of every county in the development region;

(2) one additional county board member from each county of over 100,000 population;

(3) one member of a town board of supervisors <u>from each county containing organized towns</u> ;

<u>(4) one additional member selected by the county board of any county containing no townships;</u>

~~(4)~~ <u>(5)</u> one mayor or councilman from a municipality of under 10,000 population from each county, selected by the mayors of all such municipalities in the development region;

Changes or additions indicated by <u>underline</u>**, deletions by** ~~strikeout~~.